*Previous references.*

LR. 382-08 (7,8,11 & 12) 1912-13
LR 417-90 (1-5)
RB 360-09 (305-)
~~*Later references.*~~
LB 91-11 (102)
LB 91-1 (3+4)

Last Repn
LBs 255-13. 1-2-6.
LB 243-11 Gls 1-15

File No. 150-12

Serial Nos. 1

# GENERAL AND REVENUE SECRETARIAT.

*Serial Nos.* 1

**Part B. for** September 1913

SUBJECT

Reports relating to the sale of the right of collecting tolls in the State.

(1) To the Presidts of Dt. Bds, Dy. Comrs of Dts. Presidts, Mcl Cs of Mysore & Bangalore Cities, Revenue Comrs, Chief Engineer Secy P.W.D. no 3462-82 S/10-9-13. Observes that no uniform practice exists in reporting the sales of the right of collecting tolls and directs that the confirmation of Govt is needed in the case of toll gates situated on the Provincial Roads, the revenue in which cases is credited to Provincial funds, while the District Bds. & the Municipalities may sanction the sales of the right toll-collection in their limits.

GPB—4,000—1-11-13

Receiving
4-11-13

(1

G.R.S. 11] 1912.

GENERAL AND REVENUE SECRETARIAT.

( Ld. )

NOTES.

File No. 150

FILE HEADING. Sale of the

Reports relating to the right of Collecting tolls in the State.

From

| No. | Dated | Received |
|---|---|---|

| Diary No. | Enclos. | Spare Copies. | Serial No. |
|---|---|---|---|

BRIEF ABSTRACT OF LETTER.

NOTES AND ORDERS.

The Secy's Query in file no Ls. 91—12, Sh 1—2:—

"(Para 5) The Asst. Secretary will please speak to me in person about this Case"

Sd K.S. 9/6/12

"Is there any order directing that the sale of the

NOTES—First Sheet.

GPB—35,000—15 6-12

G. R. S. 12]

General and Revenue Secretariat. | Cl. File No. 7/150 of 1912-13

Serial No.

13) With reference to Secretary's order in para 10 above on the subject of the sales of the rights of collecting tolls — whether they are reported to Govt: for information or Confirmation — the following note is submitted

14) The earliest papers traced on the subject are letters nos 356 & 362 of the 23rd & 25th March respectively from the Dy. Com.r of Shimoga &c reporting the results of the ~~sales~~ farming of tolls at Agumbi and Hyder Shah Ghats for the year 1880-81. In both these Cases the Deputy Commissioner Confirmed the sale, but in the latter Case he said that he Confirmed the sale in anticipation of sanction, the reason being that the bid was below the amount realized by working the toll bar by Amani. The order on these reports was to the effect that "the sale of toll Contracts x x x is approved".

15) No uniform practice seems to have been observed by Govt. in disposing of these reports: In some cases the order has been "Confirmed", in others "Approved" and in a few Cases "recorded".

NOTE—Contn. sheet.

GPB—65,000—17-5-12.

G. R. S. 12]

General and Revenue Secretariat.

L.S. File No. 4-150 of 1912/13

Serial No.

16) As regards the toll bars on the District Road, the District Board seem to be Competent under Rule 63 of the rules under the L.S. Regulation, to Confirm the ~~sale~~ the sales of the rights of Collecting tolls.

17) Tolls seem to have been first introduced into the Sale in Connection with the Harihar Bridge in the year 1868 whereas the Sanction of Govt. of India for the levy of tolls was obtained in 1876.

(Chief Comr's note no. 274 dt 4-11-76)

18) The System of farming out the collection of tolls was in vogue with the Sanction of Govt. even prior to 1876. The Collrs. of Districts used to forward the Sale notice for publication in the Gazette thro' the Divisional Commissioner & Chief Comr's office. The Chief Comr. imposed the Condition that "Any bid below a minimum to be fixed with reference to past actual realizations should be rejected". The Sale notice (used to be forwarded to the Compiler for publication in the Gazette by the Chief Comr's office) says that the Deputy Commissioner reserves to himself the power of refusing or accepting the highest or any

NOTE—Contn. sheet.

GPE—65,000—17-C-12.

6866 (5

G. R. S. 12]

General and Revenue Secretariat. | L.B. File No. 94 150 of 1912 / 2

Serial No.

bid that may be offered". No office has not been able to find any order to the effect that these sales are subject to the approval or Confirmation of Govt. The Deputy Commissioner seems to be the authority that Confirms or rejects a sale, the sanction of Govt. being required only in Cases where farming has to replace the system of working tolls by Amani.

KF 12 / 21/7/12 19) The same question was also raised by the late Secretary (M.V.C.S. Balasundaram Iyer) in Connection with the Provincial toll sales and he was pleased to state that the matter having not been yet settled an explicit order should be laid down.

Hag N

vide pages 2 & 3/N of the notes. LR (382-08), Sl. 7, 8, 11 & 12

KF. 12 / 21/7/12 / 25 20) In Hassan Dt, I think the practice was to confirm by the Deputy Comr to confirm sale. Was the confirmation being reported to Govt?

K Govt 26/7/12 21) Yes Sir. The Deputy Commissioner Confirms the sale and the Confirmation is not being reported to Govt. I ascertained

SBL 26-7-12

with regard to D.Y. tolls.

NOTE—Contn. sheet.

GPB—65,000—17-8-12.

6866 (16

G. R. S. 12]

General and Revenue Secretariat. | L.B. File No. 91 150 of 1912-13

Serial No.

from Branch I that the same practice obtains with regard to Provincial tolls of that District.

K.S. 42
27/11/12

22) With regard to the Secretary's query, there seems to be no order of Govt. prescribing whether toll gate sales are to be reported to Govt for confirmation or for information. The practice also seems to vary; in some cases Govt have approved of the sales & in other cases have simply recorded the report.

23) So far as L.F. toll gates are concerned, Rule 63 of the L.B. rules vests the management of the toll gates in the Dt Board, giving the Board power to lease the same. Hence it seems unnecessary to report the sales to Govt for confirmation. To provide for uniformity in the matter an order may be passed that toll gate sales need not be reported for confirmation; but may be sent up to Govt for information only

Sec[illegible]

29.7.12

NOTE—Contn. sheet.

GPB—65,000—17-6-12.

G. R. S. 12]

General and Revenue Secretariat.

Ls. File No. 150 of 1912

Serial No.

24) The point for ~~order~~ consideration is whether toll gate sales (both D.T. & Prov.) require the confirmation of Govt or whether the Presidents of the Dist Boards or the Dept concerned has hitherto got power to confirm the Sales. ~~There~~ there are no rules ~~given~~ on the subject: and the practice also does not appear to be uniform in all the Districts.

25) I think that as regards D.T. tolls the control over which is vested in the D.t Boards. the Presidents may be authorised to confirm these Sales; and that in the case of tolls on Prov.l Roads, the Sales may be ordered to be reported for the orders of Govt

2nd Commr & Dewan

17/8/12

GP 19.8.12

26) I do not see why the Dist Boards should not make this distinction unless the administration goes to different hands, & it is

NOTE—Contn. sheet.

GPB—65,000—17-5-12.

Serial No.

enough if the information is kept up to date for ourselves.

22/8/12

27) With reference to the ~~2nd Correction~~ above, I beg to point out that the realisations from tolls on D[t] Fund Roads ~~are~~ go to D[t] Funds while those from tolls on Provincial Roads are credited to Provincial Funds.

WS 24/8

SPR 24.8.12

2nd Correction.

28) With reference to the Secretary's note above, attention is invited to Govt. Progs. no. 3184-6 L.S. 10-96 directing that tolls collected on the frontier roads in the Province shall be credited half to Provincial Funds and half to District Funds.

7.9.12

KCH 12 29/8/12 (cc 4)

SPR 29.8.12

29) 2nd Correction

WS 5/9

SPR 6/9/12

G. R. S. 12]

General and Revenue Secretariat.

L.B. File No. GR 150 of 1912-13

Serial No.

30) Return
In both cases it is enough if the Period or Quantity specified in connection of the sale to work for export.
Decision]

12/9/12.

34 33
17-9-12

31) It seems to me that this Revenue Unit is the responsibility of Distt Board maybe sanctioned by President of Distts. Other Units which are Provincial Revenue should be confirmed by Govt. As there are credited to Public Works (subject to sanction) the confirmation should be in the P.W.D. Therefore the report should be to the Govt. Secy P.W.D.

B iv
Please verify
Levi 12

it is correct.
Yes. Please see page 769 of Civil account Code Vol II (79).

32) B iv
Please bring up Dunga

5/11/12

NOTE—Contn. sheet.

GPB—65,000—17-6-12.

(6

. R. S. 12]

General and Revenue Secretariat.

1500 & 12-13.

Ks. File No. Ff ~~of 191~~ 12

Serial No.

33) To Br II for the verification of the point noted by the Secy. on the margin of para 31 supra.

KP.ur
5/11/12

H Dis 4823 KP
Ry.T
7/11

34) Subd verified the statement of the Diwan is correct - Please see page 769 of C A C. Vol II. with Sub

Public Works Secretary's reference No 3866 & 14/5/1912 requesting that Comptroller G.7606.-11 be moved that all Collections on Provincial roads and bridges in the State as well as the moiety of Collections from the frontier tolls in the Mysore Dt be credited to Public works. revenue, is before the Diwan having been Subd on 6/11/1912

H D. 6823. 2 1906-11

16/11/1912

17

35) Theoretically such civil works are debitable and are debited to P.W.D. under civil works in charge of Public works officers. In Mysore however it is debited under Miscellaneous vide page 18 Mysore Book of Rules 1912 - Br Ry. Dept Revd Dr and Dept Revd Cr. Ry. is under discussion in a separate file -

Br W

KP
26/11/1

Ry. 11. 12

NOTE—Contn. sheet.

GPB—65,000—17-6-12.

R. S. 12]

General and Revenue Secretariat.

File No. 150 of 12-13 ~~97 of 1911-12~~

Serial No.

36) Any orders on the file referred to in paras 32 & 35 supra, wherein a question connected with the subject of this file is said to be under discussion, be awaited before putting up draft as directed by Secretary in para 32 supra?

K.P.M. 23/11/12

37) The other file seems to relate to the crediting of the toll income. The present file relates to the confirmation of the auction sale —

38) Please put up draft as directed by the Sec'y.

SPM 26/11/12

K.S. 26/11/12

39) Draft put up accordingly.

K.P.M. 28/11/12

40) To Br II & perusal & stating whether the question re the crediting of the toll revenue has been disposed of

SPM 25.11.12

41) (H.D. 4323.) re the subject referred to above is now in Council having been sent to the Secretary on 27/11/1912. and has not yet been disposed of.

30/11/1912

K.S. 30/11/1912

NOTE—Contn. sheet.

GPB—65,000—17-6-12

0865

(12

R. S. 12]

General and Revenue Secretariat.

G.S File No. 150 of 1912—13

| Serial No. | |
|---|---|
| | 42) File received back from Br II resubmitted for orders with draft already put up. KP. 42 3/12/12 |
| | 43) On further consideration, I think that this will have to wait till orders are passed on the other file. Please bring up after the question is disposed of — or within a month. 3/12/12 |
| | 44) I ascertained from Br II today that the other file is still pending in Council. KP. 42 6/1/13 |
| | 45) Please wait for another fortnight for the disposal of the question in the other file. 6.1.13 |
| | 46) I again ascertained from Br II today that the other file referred to by the Hon'ble Secy in para 43 supra is still pending in Council. Resubmitted for orders. KP. 42 28/1/13 |
| | 47) This may be resubmitted for orders after a fortnight. 29/4/13 |
| | 29/4/13 |

NOTE—Contn. sheet.

GPB—65,000—17-6-12.

6866 (13

R. S. 12]

General, and Revenue Secretariat. | Ld File No. 157 of 1912-13

Serial No.

48 file resubmitted for orders. The other file
regd & in 46 supra is still pending in Council

Ld 1/3/13

49 This file may await the disposal of the other question

Dy Sec 4 — SO Yes, as there is no receipt requiring disposal. 4/3 — Secy 4/3

K.R. 47 — 50 4/3/13

51 The other question raised by the Chief Engineer in re credit of the Collections in Provincial roads & bridges as well as the moiety of Collections from the Frontier Tolls in the Hazara Dt as Public Works revenue has been disposed of - Govt. directed that - no change in the existing practice procedure of credit was called for - the orders were issued in G.O. (606-11) Sls 1-2 which is kept up & the file resubd as directed supra for orders with the draft already put up.

S

Ld 4/2

17 16/7/13 — 18/7/13

52. The revenue from frontier tolls has been ordered to be credited to the same head as heretofore There is no instance in which the Deputy Comm's Confirmation of a tolls

NOTE—Contn. sheet.

GPB—65,000—17-6-12.

Serial No.

general having been set aside hitherto.

The remarks contained in Para 31 Depn do not now seem to exist, c.'

53. May the draft issue nevertheless?

Dy Sec'y). 22/7

54. Please note if questions of confirming the sales of Prov: Forests up to the Dewan under the existing practice. If not, the department interested in the credit of the revenue viz PW. D. should have advice.

55. The D.P.W Sect may be consulted by the G. R. S on each occasion if the existing practice continues or Depn Comm may be asked to correspond with the Leg, PW. in this matter hereafter.

Dmer 26/7

56. The information required is given on the routine note. Such questions do not go up to the Dewan.

Dy Sec'y) 23/8.

57. The draft may be revised as per views Expressed in paras 30 & 31, except as regards PW D & Subs

Dmer 15/8

58. Revised draft Subs accordingly.

20/8/13 (18) Dy Sec'y). 21/8.

NOTE—Contn. sheet.

6866-11 (15

G. R. S. 12]

General and Revenue Secretariat. File No. 150 of 1912

| Serial No. | |
|---|---|
| 59 | The draft put up uses plural verb for singular noun in two places. This may be noted. |
| noted. MP 29/8/13. 1 | |
| | 60. Is it necessary to provide that reports of sales should be sent for information to Govt.? It increases labour enormously but what purpose do they serve?. Dwee 23/8 Asst 24 |
| RR 28/8/13 4 | |
| 6 | 61) See para 31 supra. The Dewan's order is that in the case of Dt Fund Taxes [illegible] revenues which is the property of Dt Boards may be sanctioned by the Presidents". Submit for orders with reference to para 60. |
| NM 26.8.13 25 | 62) In para 30, the late 2nd Councillor has opined that the Sales may be reported for the information of Govt. |
| | Dy Secy). As proposed in the above Asst 28/8 |
| | 63) Please put up a fdg draft as revised now. Dwee 29/8 Asst 29/8 |
| LCG 29/8/13. | |
| | 64) Revised draft put up MC. 42 29/8/13 Dy Secy). Asst 30/8 Dwee 30/8 Asst 1/9. |
| | Draft approved by the 2nd Cr 5/9/13 Dwee 5/9 Asst 5/9 |

NOTE—Contn. sheet.

GPB—65,000—17-6-12.

(16

G. R. S. 12]

General and Revenue Secretariat.

LB File No. 150 of 1912

Serial No.

G.O. no 3462-82 5710-9-13

Observes that no uniform practice seems to have been observed by the Dy Comrs & Municipal Boards in reporting the sales of the right of collecting tolls, and directs as follows:—

1. Under section 63 of the Local Boards Rules, II of 1902, the management of toll-gates on Dist Fund roads is vested in the Dt Boards who are therefore competent to sanction the sales concerned. Similarly, Mun & Councils are competent to sanction the sales within Municipal limits.

2. As the toll revenue in the case of toll-gates on the Provincial Roads, is credited to the Provincial funds, the sales require the confirmation of Govt.

NOTE—Contn. sheet.

GIP—65,000—17-C-12.

whether the rules of the rights of Collectors should be reported for information or Conformation.

G.R.S. 28]

30/1/13 6/9

Diary No. of letter replied to

File No. 150-12

Serial No. 1

*Proceedings of the Government of His Highness the Maharaja of Mysore*

GENERAL AND REVENUE SECRETARIAT.

( )

READ—

*the* 191

Date of issue 10-9-13

Signed by Mr A. V. Ramanathan

(To be printed)

ORDER THEREON.—No. 3462-82 / 263/150-12 9/10/13

No uniform practice seems to have been observed by Deputy Commissioners and Presidents of District and Municipal Boards in reporting

*over.*

SUBJECT.

the sales of the right of Collecting toll at the several toll gate in the State. In only some instances the sales are reported to government for either Confirmation or information. With a view to provide uniformity of practice, government are pleased to direct as follows: —

(1) Toll gate on Destrict and Roads. Under section 63 of the L.B. Rules issued under Mysore L.B. Regulation II of 1902, the management of these toll bars is vested in the District Boards who are therefore Competent to sanction the sales concerned. Similarly, municipal Councils are competent to sanction the sales of the right to levy tolls within municipal limits under section 59 (b) (iii) of the Mysore Municipal Regulation.

GPB—20,000—2-10-11

(2) Toll gate on the Provincial

G.R.S. 27]

GENERAL AND REVENUE SECRETARIAT.

*(Continuation sheet draft form.)*

(3.

Roads. As the toll revenue in these Cases is credited to Provincial funds the Sale require the Confirmation of Government.

To Secretary

To the Presidents of [illegible]

" Deputy Comrs of Dts.

" Presidents of City Municipalities Bangalore & Mysore.

" Revenue Commr.

" Chief Engineer

" Secy, P.W.D.

Copy to Pro. I

*Proceedings of the Government of His Highness the Maharaja of Mysore, Local Fund and Sanitary (Local Boards), dated 10th September 1913.*

No. 3462-82—L. B. 150-12-1, DATED BANGALORE, 10TH SEPTEMBER 1913.

ORDER.—No uniform practice seems to have been observed by Deputy Commissioners and Presidents of District and Municipal Boards in reporting the sales of the right of collecting tolls at the several toll-gates in the State. In only some instances the sales are reported to Government for either confirmation or information. With a view to provide uniformity of practice, Government are pleased to direct as follows:—

1. *Toll-gates on District Fund roads.*—Under Section 63 of the Local Boards Rules issued under the Mysore Local Boards Regulation, II of 1902, the management of these toll bars is vested in the District Boards who are therefore competent to sanction the sales concerned. Similarly, Municipal Councils are competent to sanction the sales of the right to levy tolls within Municipal limits under Section 59(*b*) (iii) of the Mysore Municipal Regulation.

2. *Toll-gates on the Provincial roads.*—As the toll revenue in these cases is credited to Provincial Funds the sales require the confirmation of Government.

K. R. SRINIVASIENGAR,
*Secy. to Govt., Genl. & Rev. Depts.*

To—The Presidents of District Boards.
The Deputy Commissioners of Districts.
The Presidents of the City Municipalities, Bangalore and Mysore.
The Revenue Commissioner in Mysore.
The Chief Engineer in Mysore.
The Secretary to Government, Public Works Department.

Exd.—C. R.

# 1913-14

GOVERNMENT OF HIS HIGHNESS
THE MAHARAJA OF MYSORE

LOCAL FUNDS AND SANITARY
(LOCAL BOARDS)

PROCEEDINGS

*Dated 10th September 1913*

No. 3462-82
L. B. 150-12-1

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Directs that sales of the right to collect tolls at the toll-gates on the Provincial Boards only require the confirmation of Government.

GPB—22-9-15—250